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Hologram USA, Inc., Musion Das Hologram
Limited and Uwe Maass*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HOLOGRAM USA, INC., a Delaware corporation; MUSION DAS HOLOGRAM LIMITED, a corporation organized under the laws of the United Kingdom; and UWE MAASS, an individual.

Plaintiffs,

V.

PULSE EVOLUTION CORPORATION, a Nevada corporation; PULSE ENTERTAINMENT CORPORATION, a Delaware corporation; JOHN C. TEXTOR, an individual; DICK CLARK PRODUCTIONS, INC., a Delaware corporation; JOHN BRANCA and JOHN MCCLAIN, Executors of the Estate of Michael J. Jackson; MJJ PRODUCTIONS, INC., a California corporation; MUSION EVENTS LTD., a United Kingdom private company; MUSION3D LTD., a United Kingdom private company; WILLIAM JAMES ROCK, an individual; IAN CHRISTOPHER O'CONNELL, an individual; and DOES 1 through 10,

Case No.: 14-cv-00772-GMN-NJK

**PLAINTIFFS' EVIDENTIARY
OBJECTIONS TO THE DECLARATION
OF TODD S. EAGAN IN SUPPORT OF
JAMES WILLIAM ROCK'S MOTION
TO DISMISS**

Defendants.

1 Plaintiffs Hologram USA, Inc. (“Hologram USA”), Musion Das Hologram Limited
 2 (“MDH”) and Uwe Maass (“Maass”) (collectively, “Plaintiffs”) hereby submit the following
 3 Evidentiary Objections to the Declaration of Todd S. Eagan in Support of James William Rock’s
 4 Motion to Dismiss (the “Eagan Declaration”):
 5

¶	Testimony	Objections
¶2 and Exhibit A	<p>“Although not presented for purposes of determination in the context of the instant Motion, Plaintiff Uwe Maass has made representations that the ‘212 patent is invalid – in direct contradiction to Plaintiffs’ claims in the action. For example, on September 15, 2013, Mr. Maass represented in a text message to Defendant John Textor, that he is in possession of a “drawing and statement from 1999” that invalidate the ‘212 patent. Attached hereto as Exhibit “A” is a true and correct copy of the September 15, 2014 text message from Mr. Maass to Mr. Textor.”</p>	<p>Relevance. The testimony and exhibit in this paragraph is not relevant. Defendant concedes as much in the first sentence. This motion to dismiss only applies to U.S. Patent No. 5,865,519 (the “‘519 patent”). Unlike the ‘519 patent, U.S. Patent No. 7,883,212 (the “‘212 patent”) is not at issue in this motion to dismiss.</p>
¶3 and Exhibit B	<p>“Subsequently, on July 2, 2014, Mr. Maass testified in the proceeding entitled <i>Musion Events Ltd., et al. v. Uwe Maass</i>, LCIA Arbitration No. 132483. The transcript of that proceeding reflects that Mr. Maass testified that the ‘212 patent is essentially invalid: “Look, Peppers Ghost 2 [i.e., the 212 patent] is made to enhance the lifespan of patent protection. That was the initial thought of it. But it is actually just something that was done before, written down new and applied for a patent for it because nobody did before, although it was done before. It is a risky patent it is a weak one because challenge from the right person it will die.” Attached hereto as Exhibit “B” is a true and correct copy of the relevant portion of a July 2, 2014 hearing transcript in the matter of <i>Musion Events Ltd., et al. v. Uwe maass</i>, LCIA Arbitration No. 132483.”</p>	<p>Relevance. The testimony and exhibit in this paragraph is not relevant. Defendant concedes as much in the first sentence. This motion to dismiss only applies to the ‘519 patent. Accordingly, discussion of the ‘212 patent is wholly irrelevant.</p>

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DATED this 5th day of December 2014.
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McDONALD CARANO WILSON LLP

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By: /s/ Ryan G. Baker
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